

Communicate with and see pictures of your fans.” Applicant submits that such sentences, among others, clearly show this aspect of the invention.

IV. Claim rejections – 35 USC 112, first paragraph.

In the Action, the Examiner contends that Applicant’s disclosure does not disclose: “contact information of the receiver is hidden from the communication device.”

Applicant notes that this appears to be a new contention by the Examiner. However, the Examiner is referred to paragraph [0165] of the published specification. As to the remaining elements allegedly not disclosed by Applicant, Applicant notes that in the prior Office Action the Examiner made the same assertion. In Applicant’s response to the prior Office Action, Applicant provided a full explanation demonstrating that at paragraphs [0139] – [0152] as to how such elements are adequately disclosed. See pages 7-8 of the prior Response to Office Action. In this Action, the Examiner has made no attempt to refute the information as provided in the Response to the prior Office Action at pages 7-8. As such, Applicant submits that there is no need to further respond in this Office Action as Applicant incorporates by reference its prior Response to the same grounds for rejection in the Response to Office Action filed December 23, 2009.

IV. Claims Rejections – 35 USC 103(a)

Claims 21-46 are rejected under 35 USC 103(a) as being unpatentable over Cook in view of Keen.com. In response, it is noted in Applicant’s Response filed December 23, 2009, the pages relied upon by the Examiner in Keen, namely pages 10-14, are dated February 29, 2000. Since as noted above, Applicant has responded to the Examiner’s contention that the Declaration previously filed by Applicant did not establish conception of the invention prior to February 29, 2000, Applicant requests that Keen be withdrawn as a basis for rejecting the claims under 35

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### REMARKS

Claims 21-46 are rejected under 35 USC 112, first paragraph as failing to comply with the written description requirement, the Examiner contending that Applicant's disclosure does disclose (sic):

“How the identification of the user is tracked for a return text communication from the receiver. For example, how plurality users with common name like John Smith is tracked so that the return text communication from the receiver is provided to the proper user.

How is the communication via physical mail exchanged between the user and the receiver.

How is the communication is exchanged between the user and the receiver when the contact information of the receiver is an account.”

Presumably, the Examiner intended to indicate that the above noted items do not find adequate support in the application as filed. In response, Applicant notes that Applicant discloses at paragraphs [0139]-[0152] that the invention can be implemented using a web-page mail server which operates by requiring the user to enter a user name and password. See, in particular, paragraph [0142]. Thus, it is clearly disclosed that a plurality of users with a common name can each be tracked because each has a unique user name/password combination. Regarding how the communication is exchanged via physical mail and between the user and the receiver, when the contact information of the receiver is an account, as noted in paragraph [0143], a web mail based mail server enables a user to establish one or more new independent email mailboxes, accounts, and addresses that are accessible from a web browser or other application running on any computer. Since such a web based mail server is, in effect, a database which stores in addition to messages to be delivered, address information, account information and the like. A person skilled in the art would readily recognize that any

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information which is contained in a database can be printed and then physically mailed to an address stored in the database, i.e., an address associated with a particular account.

Accordingly, reconsideration and withdrawal of the rejection of the claims under 35 USC 112, first paragraph, is requested.

Claims 21-46 are rejected under 35 USC 112, second paragraph. Since the Examiner makes no objection as to specific claim language, but rather seeks clarification regarding how certain claim elements may be implemented, this rejection also appears to be one, if made, should be based upon 35 USC 112, first paragraph, and not 35 USC 112, second paragraph. However, regarding the Examiner's various queries with respect to the rejection asserted under 35 USC 112, second paragraph, Applicant submits that the disclosure relating to the web based mail server at paragraphs [0139]-[0152] provides all information which would be required by a person having ordinary skill in the field of the invention to implement the invention and, to the extent relevant, to respond to the various queries made by the Examiner. Accordingly, reconsideration and withdrawal of the rejection under 35 USC 112, second paragraph, is requested.

Claims 21-46 are rejected under 35 USC 103 as being unpatentable over Cook in view of archived web pages of Keen.com (Keen).

In response, Applicant notes that during an interview with the Examiner on December 9, 2009, in response to a query regarding the publication date of the portions of Keen relied upon by the Examiner, the Examiner indicated that the publication date is contained in the URL address of the page. In this connection, the pages relied upon by the Examiner in Keen, namely pages 10-14 have as the date in the URL address February 29, 2000. Since the present application has a filing date of February 5, 2001, Keen can only be prior art under 35 USC